

Exhibit 3

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----X
5 INTERNATIONAL BUSINESS MACHINES CORPORATION,

6
7 Plaintiff,

8 v.

9 RODRIGO KEDE DE FREITAS LIMA,

10 Defendant.
11 -----X

12 VIDEOTAPED DEPOSITION OF

13 JEAN-PHILIPPE COURTOIS

14 Tuesday, July 7, 2020
15
16
17
18
19

20 Reported by:

21 Rebecca Schaumloffel, CLR, RPR, CCR-NJ

22 Job No: 181522
23
24
25

1 J. COURTOIS

2 would that communication violate Microsoft's
3 policies?

4 MR. DELIKAT: Objection. You
5 can answer.

6 A. Yes. Obviously that violate the
7 Microsoft company's policy, absolutely, yes.

8 Q. Thank you. Other than the SLT,
9 are there other regular meetings that you
10 attend with Satya Nadella?

11 A. The leadership team meetings, I
12 would say what you call the executive staff
13 meeting, which is meeting where we have all
14 of our corporate vice presidents joined for
15 three days and chat. And I would also join
16 the Town Hall Q and A's and that we have
17 every few months where Satya would discuss
18 the news of the months and would handle any
19 questions that would be worthy of employees
20 and sometimes sharing my perspective in those
21 Q&A.

22 Q. Going through each of those
23 meetings, first, the SLT. Prior to his
24 resignation, did Cesar Cernuda attend the SLT
25 meetings?

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2 A. I do understand what Cloud
3 Computing is. It's a market that includes
4 product Cloud, private Cloud, perfect Cloud
5 which spans across infrastructure of the
6 business areas, public part, platform
7 necessities, public Cloud and finally service
8 of private Cloud. So you have many distinct
9 triggers.

10 Q. Thank you. I appreciate that.

11 In any of those aspects, does IBM
12 compete with Microsoft?

13 A. Well, the very small I would say
14 real competition between IBM and Microsoft in
15 the private Cloud arena is where rarely I
16 would say, rarely, we may potentially compete
17 with IBM. But, again, considering the market
18 position and the market that is lead by far
19 by Amazon, the last numbers which was another
20 (inaudible) in January 2020, Amazon Cloud was
21 15 and a half billion dollars. Microsoft 5.0
22 billions. Google 1.3 and IBM 0.58. I think
23 that gives you a sense of the condition we
24 are hitting every day, which is head of US
25 and GCP in a private Cloud.

1 J. COURTOIS

2 Q. In the ordinary course of your
3 business, you keep at the top of your mind
4 IBM's revenues in Cloud; is that correct?

5 A. I don't keep IBM at the top of my
6 mind at all in my business. With them, my
7 business engagements. I think it's not at
8 the top of the job at all. It's not.

9 Q. You just recited to me the revenue
10 numbers of three companies other than
11 Microsoft, Amazon, Google, and IBM; is that
12 correct?

13 A. Yes, I did.

14 Q. Do you know what the term "one
15 Microsoft" means?

16 A. When Microsoft refers to one of
17 our core values of the company, which is the
18 way we bring the very best of all different
19 functions across generating, across sales,
20 marketing, support, and all the back and
21 forth in the company, to enable a customer's
22 success, that's what we mean by one
23 Microsoft.

24 Q. Does it also mean that you bring
25 the very best across all geographies that

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2 Microsoft participates in?

3 A. One Microsoft actually means what
4 I exactly said before. We want to bring the
5 one Microsoft across the functions we have
6 globally, of course anywhere the world where
7 we operate as a company.

8 Q. Is it important to Microsoft that
9 its core values be implemented in the Latin
10 America region?

11 A. Like any one of our values, it is
12 important that we could actually see them in
13 action, including Latin America, like any
14 other operation in the world, yes.

15 Q. Prior to his resignation, was
16 Cesar Cernuda responsible for implementing
17 Microsoft's core values in Latin America?

18 A. Cesar Cernuda, like any one of our
19 leaders running our area, as we call them,
20 certainly should embrace our culture and our
21 values.

22 Q. What is the Global Sales and
23 Marketing Organization Leadership Team?

24 A. The leadership team is comprised
25 of the leaders representing the US,

1 J. COURTOIS

2 Q. Understood. Prior to his
3 resignation, was Cesar Cernuda responsible
4 for Microsoft's profits and loss in the Latin
5 America region?

6 A. Can you repeat the question?

7 Q. Sure. Prior to his resignation,
8 was Cesar Cernuda responsible for Microsoft's
9 profits and losses in the Latin America
10 region?

11 A. He was responsible for the
12 commercial revenue in Latin America. The
13 notion of P&L is quite limited. He was
14 mostly responsible for the revenue at the top
15 line of the company.

16 Q. He was responsible for growing
17 Microsoft's revenues in Latin America; is
18 that correct?

19 A. That's correct.

20 Q. And was Cesar Cernuda responsible
21 for leading Microsoft's competition against
22 its competitors in the Cloud Computing market
23 in Latin America?

24 A. His role was like any one of my
25 leaders and the peers is all about

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2 accelerating of growth across enterprise
3 customers, across (inaudible) customers and
4 small medium-sized customers. That's the
5 commission. It's about enabling those
6 customers to benefit from our public services
7 at hyper scale.

8 Q. Would you say that Cesar Cernuda
9 had customer-facing responsibilities at
10 Microsoft?

11 A. Yes, he did.

12 Q. Do you know how much Cesar Cernuda
13 made in compensation from Microsoft in 2019?

14 A. I don't.

15 Q. Do you have a sense of how much he
16 made from Microsoft in 2019?

17 A. I don't want to speculate because
18 we have different programs that vary by
19 fiscal year on top of the base compensation,
20 so I just don't have the number in mind.

21 Q. Cesar Cernuda report -- prior to
22 his resignation, Cesar Cernuda reported to
23 you, correct?

24 A. He did, yes.

25 Q. Were you involved in decisions

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A horizontal bar chart consisting of 20 black bars of varying lengths. The bars are arranged vertically, one above the other. The lengths vary significantly, with some bars being nearly full-width and others being much shorter. The overall shape created by the bars is irregular and jagged.

23 Q. Are you aware that Cesar Cernuda
24 had a Noncompetition Agreement with
25 Microsoft?

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2 A. Yes. I am pretty aware of such a
3 clause, yes.

4 Q. Are you familiar with the terms of
5 that restriction?

6 A. Yes.

7 Q. Do you understand that it
8 restricted him from joining a competitor for
9 12 months after leaving Microsoft?

10 A. So the very specific requirements
11 we have for all employees, including Cesar
12 Cernuda, on the proper close of five things.
13 Number one, reminded, of course, that they
14 should never clearly use any knowledge they
15 have of unique information from the company
16 if and when they leave the company.
17 Certainly when we asked, again, as well the
18 person, if the person joins the company, we
19 are never asking the person to join us
20 because the unique knowledge and confidential
21 information they would have of our company.
22 And we expect for the same from our employees
23 when they leave Microsoft not to reveal any
24 such information.

25 Clearly, we remind our employees

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2 about that obligation of the Employment
3 Agreement, like in the case of Cesar Cernuda.
4 And as a matter of fact, when Cesar Cernuda
5 left, he was assisted by our legal team as
6 well to make sure he was complying with all
7 those requirements, including the personal
8 information he has, the devices and so on, in
9 details. And the last point I would say,
10 Cesar Cernuda, like all Microsoft employees,
11 go every year to a training, we call this our
12 business comment which is a video training.
13 And the video training includes non-compete
14 information as well in training. And all
15 employees have to sign that and verify they
16 go through the training after they complete
17 it. So Cesar Cernuda has done all of the
18 above.

19 Q. Cesar Cernuda has left Microsoft
20 to join another company; is that correct?

21 A. Yes.

22 Q. And he did not join IBM, did he?

23 A. He did not join IBM.

24 Q. He did not join Google, did he?

25 A. No.

1 J. COURTOIS

2 Q. Do you know who Arvind Krishna is?

3 A. The new CEO of IBM.

4 Q. In all of your discussions with
5 Rodrigo Lima, has he ever criticized IBM?

6 A. I would say Rodrigo was -- he was
7 disappointed by the lack of change at IBM in
8 terms of the culture, in terms of the way
9 people work, in terms of reorganization-type
10 decisions, in terms of probably a bolder
11 agenda for the future.

12 Q. And Rodrigo told you all that?

13 A. He shared some of those feelings
14 with me.

15 Q. Did he share those feelings with
16 you on multiple occasions or were you
17 describing one conversation?

18 A. These come back a couple of times
19 probably during two of our meetings.

20 Q. Can you hear me?

21 A. Pretty low.

22 MR. DELIKAT: Off the record.

23 (Whereupon, a recess was held.)

24 BY MR. SIGNORACCI:

25 Q. If we go to the second page of

1 J. COURTOIS

2 this document, about one-third down, there is
3 a new message from you.

4 Do you see that?

5 A. Can you restate it, maybe more
6 precisely?

7 Q. Yes. It's from August 6, 2019, at
8 6:26.

9 A. Yes.

10 Q. It has a list of topics. Number 2
11 says, "Cloud projects: Cloud modernization,
12 Cloud architecture versus Managed services
13 deals."

14 Do you see that?

15 A. Yes.

16 Q. Do you understand this to be
17 Rodrigo speaking to you about his work at
18 IBM?

19 A. This email was actually a note I
20 sent to myself, as you can see on the "from"
21 line and on the "to" line. That was more of
22 an outline of some of the topics I wanted to
23 discuss with Rodrigo.

24 Q. This is your list of topics to
25 discuss with Rodrigo?

1 J. COURTOIS

2 A. That was my intent before starting
3 the meeting, yes.

4 Q. What is topic -- can you read
5 Topic No. 5?

6 A. Topic No. 5, "Strategy : RedHat ?
7 Openshift."

8 Q. What is RedHat and Openshift?

9 A. What is your question, sorry?
10 What is it?

11 Q. What is RedHat and Openshift?

12 A. RedHat is a name of a company that
13 is well-known in the industry, running
14 clearly open source software and, again, had
15 a Cloud services that was acquired by IBM.
16 And Openshift is one of their services.

17 Q. The date of this document is
18 August 6, 2019; is that correct?

19 A. Yes.

20 Q. And by August 6, 2019, RedHat had
21 been acquired by IBM; is that correct?

22 A. Yes.

23 Q. And in August 2019, one of the
24 topics that you wanted to discuss with
25 Rodrigo Lima was strategy, RedHat, Openshift;

1 J. COURTOIS

2 is that correct?

3 A. Which date did you say, you said
4 August --

5 MR. DELIKAT: The date of the
6 meeting you --

7 A. August 6th?

8 Q. Yes.

9 A. I thought you said 27.

10 Q. Apologies.

11 Did you ever discuss IBM
12 confidential information with Rodrigo Lima?

13 A. I did not discuss any of the
14 confidential information with Rodrigo Lima.

15 Q. Did Rodrigo Lima ever provide you
16 any IBM documents?

17 A. He never did.

18 Q. Do you value Rodrigo Lima's
19 perspective on Cloud Computing?

20 A. I value Rodrigo's leadership
21 skills. I value Rodrigo's details of
22 experiences across a number of roles in the
23 US and Brazil. And I value his values,
24 actually, and his of course mindset.

25 Q. Do you value his views on RedHat?

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2 A. That was not really a key
3 discussion topic at all. That was more of
4 the news at the time, obviously, because it
5 was public information, but that's it.

6 Q. If you look further down the page
7 underneath the next email, also, from you to
8 yourself, this one is from May 27th. The
9 first line says, "Part of 25 people/IBM
10 level."

11 A. Yes.

12 Q. And the next line says, "In New
13 York, largest organization for the company,
14 40K people and\$ 11B business, 25% of the
15 company's profit"; is that correct?

16 A. Yes. That's what he says, yep.

17 Q. Do you know where you received
18 those numbers that you put in your note to
19 yourself on May 27, 2019?

20 A. You mean where this information
21 came from? I don't recall precisely.

22 Q. Do you think that these numbers
23 came from Rodrigo Lima?

24 A. I'm not sure, honestly. I'm not
25 sure.

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2 Q. Do you think that these numbers
3 came from a publically-filed document by IBM?

4 A. I don't know.

5 Q. Does Microsoft report its revenues
6 and profits by individual business units
7 within geographies?

8 A. No, we don't.

9 Q. Would that information be
10 confidential Microsoft information?

11 A. We have some other information
12 revenue where we bragged on our product and
13 services between productivity, intelligence
14 services and personal computing. That's
15 where we bragged on the numbers of Microsoft.

16 Q. Do you know whether the numbers in
17 this note have been publically reported by
18 IBM?

19 A. Honestly, I don't know.

20 Q. So these numbers could be IBM
21 confidential information; is that correct?

22 A. I just don't know.

23 Q. In 2019, you had conversations
24 with Rodrigo Lima about Rodrigo Lima joining
25 Microsoft; is that correct?

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2 A. Yes. Potentially, yes.

3 Q. What role had you considered
4 Rodrigo Lima for at Microsoft in 2019?

5 A. As I said initially, the very
6 first meeting in May was about exploring and
7 getting to know Rodrigo as a leader, which I
8 do, as I told you, in the context of a
9 succession planning work we do, year after
10 year across the world. Later on, I think he
11 tell me in the August meeting, we discussed
12 the Asia role for Rodrigo Lima. I was
13 looking for a leader to take over for my
14 former leader for Asia. And so Rodrigo was
15 the leader I was starting to consider for
16 that Asia role seriously.

17 Q. So the Latin America role that
18 Rodrigo has accepted at Microsoft is not the
19 only role that you considered him to be
20 appropriate for at Microsoft; is that
21 correct?

22 A. That's correct.

23 Q. In 2019, did the topic of Rodrigo
24 Lima's Noncompetition Agreement with IBM ever
25 arise in your discussions about potentially

1 J. COURTOIS

2 forward looking.

3 Q. It could mean, I'm sorry?

4 A. It could mean the future or maybe
5 forward looking consideration, I guess. I
6 don't know what those were.

7 Q. Your understanding is that Stijn
8 could mean that Microsoft is hiring Rodrigo
9 Lima in the Latin America role that is
10 forward looking to move Rodrigo Lima to the
11 United States Microsoft subsidiary; is that
12 correct?

13 A. What I read is Stijn says that
14 Rodrigo Lima, you know, could do some other
15 roles in the company elsewhere in the
16 organization as well. That's what I read,
17 yes.

18 Q. And then the next line I will read
19 says, "Landing him in Lat Am allows us to
20 avoid the non-compete situation and to get
21 him grounded into the Microsoft operations
22 right away."

23 Did I read that correctly?

24 A. Yes.

25 Q. Does "Lat Am" mean Latin America?

1 J. COURTOIS

2 A. Yes.

3 Q. Do you understand Stijn to be
4 saying that the Latin America role that
5 Microsoft offered Rodrigo Lima was designed
6 to avoid the non-compete situation with
7 Rodrigo Lima's Noncompetition Agreement with
8 IBM?

9 MR. DELIKAT: Objection as to
10 form. You can answer.

11 THE WITNESS: Sorry?

12 MR. DELIKAT: I objected as to
13 form, but you can answer the question
14 if you can.

15 A. I think what Stijn means in that
16 email is that Latin America job, you know,
17 was not presenting any significant
18 non-compete issue for the role. I think
19 that's what he means.

20 Q. Is it your understanding that
21 there are some roles at Microsoft that would
22 create a non-compete situation for Rodrigo
23 Lima?

24 A. My understanding of Rodrigo, as I
25 said before, is that he has clearly a

1 J. COURTOIS

2 Microsoft in Cesar Cernuda's last 12 months
3 as Corporate Vice President of Latin America?

4 A. I think he might, indeed, yes. He
5 might.

6 Q. You made an announcement to
7 executive teams about Rodrigo Lima's joining
8 Microsoft on June 22, 2020; is that correct?

9 A. I don't recall the precise date,
10 but I did indeed announce his presentation,
11 yes.

12 Q. I will share another exhibit with
13 you.

14 A. Okay.

15 Q. We are up to 5.

16 (Whereupon, Courtois Exhibit 5,
17 MSFT'0173 through '0174 was marked for
18 identification as of this date by the
19 Reporter.)

20 Q. Can you see this exhibit?

21 A. I can, yes.

22 Q. Is a June 22nd email from Rodrigo
23 Lima to you; is that correct?

24 A. Yes, I can see that, yes.

25 Q. And it includes some group emails

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2 including the latam@microsoft.com; is that
3 correct?

4 A. Yes.

5 Q. If you go to the bottom of this
6 first page, it's an -- the original email is
7 from you to a group called GSMO All FTE; is
8 that correct?

9 A. Yes.

10 Q. What is that group?

11 A. That group includes the GSMO
12 full-time employees.

13 Q. About how many Microsoft employees
14 do you think are in that group?

15 A. I would say roughly, because there
16 is always a mix so I don't be that precise, I
17 could be wrong, but it could be certainly
18 more than 23,000 people.

19 Q. 23,000 people?

20 A. Approximately, again, because I
21 don't know precisely between actually
22 entities at that date. But it should be more
23 than 20,000 potentially, yes.

24 Q. And then there is a second email
25 called GSMO All Extended FTE; is that

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correct?

A. Yes.

Q. And what is that group?

A. I don't know, actually. I don't know what this actually includes. I read it, but I see, I don't know exactly what it means here.

Q. Okay. And copied on your email is rodrigo.kede@hotmail.com, correct?

A. Yes.

Q. Do you recognize that email address of rodrigo.kede@hotmail.com?

A. Yes.

Q. Do you know whether you had ever used, whether you had ever sent a communication to that email address prior to this communication?

A. Honestly, I don't recall. I may, but I'm not sure.

Q. Do you recall having emailed Rodrigo at his Gmail account?

A. Might have been the case. Again, I could be confused now between Hotmail or Gmail, but at least one of his personal email

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2 accounts, that's very likely, yes.

3 Q. Your message says, "Team, I hope
4 you and your beloved ones are safe and well.

5 "I am delighted to announce that
6 Rodrigo Kede Lima will join us as the CVP of
7 Microsoft, Latin America, at a date to be
8 announced shortly"; is that correct?

9 A. Yes.

10 Q. What date do you expect to
11 announce Rodrigo Kede Lima as the CVP of
12 Microsoft, Latin America?

13 A. As this email says, shortly. But
14 it was not a date at the time that was clear
15 enough to be communicated.

16 Q. Was it your idea to send this
17 email on June 22, 2020?

18 A. It's regular communication process
19 we have to inform our people, employees,
20 about the new leadership coming in.

21 Q. It's a regular business process of
22 Microsoft; is that correct?

23 A. Yes.

24 Q. And when Rodrigo Lima responds to
25 the group, did you instruct Rodrigo to

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2 attend the call. And so the goal was to
3 thank him, which I did. It was also to
4 announce that there would be a new leadership
5 in Latin America with Rodrigo Lima. And I
6 was also announcing the SMO Vice President
7 Mariana Castro being named in that function
8 to lead these callers.

9 Q. Would you describe the purpose of
10 this call as being Microsoft business?

11 A. I would describe that as a Latin
12 Leadership Team call.

13 Q. And the LATAM leadership team
14 participates in Microsoft's business; is that
15 correct?

16 A. Yes.

17 Q. Will the Latin American Leadership
18 Team report to Rodrigo Lima if he starts the
19 role of Corporate Vice President of Latin
20 America?

21 A. When you start, he will have a
22 number of leaders on that team reporting to
23 him, yes.

24 Q. So Rodrigo Lima was addressing his
25 direct reports at Microsoft in this call?

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2 A. It was a very short, actually
3 introduction email. He said he was very
4 excited with respect to of joining Microsoft
5 and leading that team in the future. He
6 talked about his roots in Brazil. He talks
7 about the fact that he loves Latin America.
8 He talks about the fact that he loves
9 technology impact in the business and in
10 society. And he talks about loving football,
11 there is a lot of excitement in Latin
12 America, as you probably aware, people love
13 soccer in the US, soccer ball. And so that's
14 what he touch on. It was a very personal
15 introduction.

16 Q. Do you know whether after the
17 email went out and the phone call occurred
18 any Microsoft employees reached out to
19 Rodrigo Lima in response?

20 A. I am not aware of all the -- of
21 any calls, except clearly a connection he had
22 with Mariana. Mariana would be working with
23 him in the future.

24 Q. What was the nature of that
25 connection between Rodrigo and Mariana?

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2 A. I was not on the call so I
3 couldn't tell, I wouldn't tell, but I think
4 it was just a personal introduction, again,
5 of the two of them.

6 Q. You are aware that Rodrigo and
7 Mariana had a phone call?

8 A. I think what's he shared with me
9 and Mariana as well, yes.

10 Q. Do you know whether any Microsoft
11 employees emailed Rodrigo in response to his
12 announcement?

13 A. I don't know.

14 Q. Did you instruct Microsoft
15 employees not to email Rodrigo in response to
16 his announcement?

17 A. I did not instruct anything
18 additional to the communication you saw.

19 Q. Did you instruct anyone not to
20 reach out to Rodrigo?

21 A. I did not, again, specifically ask
22 people not to reach out to Rodrigo, except
23 that connection with Mariana Castro, yes.

24 Q. I think I understand your
25 testimony to be that you did not instruct

1 J. COURTOIS

2 Q. Do you know what they spoke about?

3 A. I don't know the details except
4 that both of them were pleased with the very
5 short personal introduction.

6 Q. Do you know whether they spoke
7 about Microsoft's business?

8 A. I don't know.

9 Q. Did Rodrigo report to you after he
10 had the call with Mariana?

11 A. Do you recall what?

12 Q. Anything. Did you speak to
13 Rodrigo in any way after he had the call with
14 Mariana?

15 A. No. The only thing I recall was
16 positive feedback from Mariana having talked
17 to Rodrigo, but it's just personality.

18 Q. Are you subject to a
19 Noncompetition Agreement with Microsoft?

20 A. Yes.

21 Q. Did you sign a Noncompetition
22 Agreement with Microsoft?

23 A. Yes. It's part of my contract,
24 yes.

25 Q. Do you intend to honor your

1 J. COURTOIS

2 Noncompetition Agreement with Microsoft?

3 A. Of course I do.

4 Q. Do you know what the duration of
5 your Noncompetition Agreement with Microsoft
6 is?

7 A. To be honest, I joined the company
8 35 years ago at a very different time. And I
9 don't -- I am embarrassed, I would say, a
10 version of that, of that agreement.

11 Q. Do you know if you signed a
12 Noncompetition Agreement with Microsoft
13 35 years ago?

14 A. At the time there was not such a
15 compete clause at the very beginning of the
16 company.

17 Q. More recently, have you signed
18 another Noncompetition Agreement with
19 Microsoft?

20 A. So more recently, what I am doing
21 is like every employee, I am basically
22 signing off as a service business that
23 includes all the specifics of the non-compete
24 mediations of a Microsoft employee.

25 Q. Do you know if you have a

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2 restriction that if you leave Microsoft you
3 can't join a competitor for a certain period
4 of time?

5 A. I will not be willing nor have a
6 desire to join any competitor for Microsoft.

7 Q. I appreciate that. Do you know
8 whether you have a restriction that prohibits
9 you from doing so?

10 A. I think for sure there would be a
11 restriction for me to join a competitor, yes.

12 Q. Do you have also have a
13 confidentiality agreement with Microsoft?

14 A. Yes, I do.

15 Q. Do you also have a customer
16 non-solicitation provision with Microsoft?

17 A. Can you elaborate what you mean by
18 that, a customer non-solicitation agreement?

19 Q. Do you have any provision that
20 restricts your ability to solicit business
21 from customers if you leave Microsoft?

22 A. You mean some specific customers,
23 you're talking leaving the company you mean?
24 I don't know.

25 Q. Do you know if you have an

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2 which Microsoft has sought to enforce its
3 Noncompetition Agreements?

4 A. Since Satya Nadella joined office
5 of the CEO, he never file any non-compete
6 clause, any lawsuits against any employees of
7 the company.

8 Q. And when did Satya Nadella join as
9 CEO of the company?

10 A. In 2014.

11 Q. Prior to 2014, are you familiar
12 with any proceedings in which Microsoft
13 sought to enforce its noncompetition
14 agreements against a departing employee?

15 A. I don't know.

16 Q. Do you know who Matt Miszewski is?

17 A. I think I know this name from the
18 past, that's someone who works at Microsoft,
19 but I don't recall the role he used to have.

20 Q. Matt Miszewski was Microsoft's
21 general manager of worldwide government in
22 2011. Do you recall that?

23 A. Could be, yes. In the US? Yes.

24 Q. Do you recall that Matt Miszewski
25 left Microsoft to take a position at

1 J. COURTOIS

2 Salesforce.com?

3 A. I don't. I don't.

4 MR. DELIKAT: Let me just ask
5 the Court Reporter. I notice on the
6 clock we have passed or are at
7 two-and-a-half hours. I know we also
8 took a break also. Can you tell us
9 how much running time there has been
10 on the deposition?

11 THE COURT REPORTER: I'm going
12 to defer to the videographer for that.
13 I wasn't tracking.

14 MR. DELIKAT: Okay.

15 THE COURT REPORTER: Thank you.

16 THE VIDEOGRAPHER: So far we
17 have about -- it's just a bit under
18 two-and-a-half hours on my clock.

19 MR. DELIKAT: Okay. And so
20 "just a bit" is, five minutes, three
21 minutes, ten minutes? Can you be a
22 little bit more ballpark?

23 THE VIDEOGRAPHER: I'll tell you
24 what, five to seven minutes.

25 MR. DELIKAT: Okay, very good.

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2 manage multiple clouds. Could be Azure
3 Microsoft, could be GCP Google, could be LBS.
4 It could be all sorts of private Cloud
5 infrastructures altogether.

6 Q. Private and Cloud infrastructures?

7 A. Including as well. Not only, yes.

8 Q. Do you know whether IBM markets
9 products and services that compete with
10 Microsoft Azure Arc?

11 A. I think that IBM has a number of
12 different services to manage, again, hybrid
13 Cloud those services. So in that sense, it
14 could be some form of competition with Arc.

15 Q. Do you know whether Microsoft
16 creates internal analyses of the competitors
17 in the markets where it offers products and
18 services?

19 A. Microsoft is always looking into
20 investing for innovative services based on
21 the customer needs. And so we are studying
22 the complete landscape as well, of course.

23 Q. Is there any division within
24 Microsoft devoted to performing internal
25 analyses of competitors in the markets where